

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JARED ANTHONY WINTERER,

Plaintiff,

v.

LOWER KITTITAS COUNTY
DISTRICT COURT, KITTITAS
COUNTY SUPERIOR COURT,
CITTITAS COUNTY
CORRECTIONS CENTER and
WASHINGTON STATE
PENITENTIARY,

Defendants.

NO: 1:16-CV-3128-RMP

**ORDER DENYING LEAVE TO
PROCEED *IN FORMA PAUPERIS*
AND DISMISSING ACTION FOR
FAILURE TO PAY FILING FEE**

By Order filed July 27, 2016, the Court directed Plaintiff, a *pro se* prisoner at the Kittitas County Corrections Center, to comply with 28 U.S.C. § 1915(a)(2), which requires prisoners who seek to bring a civil action without prepayment of the filing fee to submit a certified copy of their trust fund account statement (or institutional equivalent) for the six months immediately preceding the filing of the complaint. Specifically, the Court instructed Plaintiff to submit a certified copy of his inmate account statement for the portion of the six months preceding June 29,

**ORDER DENYING LEAVE TO PROCEED *IN FORMA PAUPERIS* AND
DISMISSING ACTION FOR FAILURE TO PAY FILING FEE -- 1**

1 2016, that he was in the custody of the Washington State Department of
2 Corrections.

3 The Court cautioned Plaintiff that his failure to submit this information
4 within thirty (30) days would result in this file being closed. In the alternative, Mr.
5 Winterer was invited to pay the full \$400.00 filing fee to commence this action.
6 Plaintiff has filed nothing further in this action. Therefore, **IT IS HEREBY**
7 **ORDERED** that:

8 1. Plaintiff's application to proceed *in forma pauperis*, **ECF No. 2**, is
9 **DENIED** for failure to comply with 28 U.S.C. § 1915(a)(2) and this action is
10 **DISMISSED** for failure to pay the filing fee under 28 U.S.C. § 1914.

11 2. All pending motions are **DENIED as moot**.

12 The Clerk's Office is directed to enter this Order, enter judgment, forward a
13 copy to Plaintiff, and close the file. The Court certifies any appeal of this dismissal
14 would not be taken in good faith.

15 **DATED** this 1st day of September 2016.

16 s/ Rosanna Malouf Peterson
17 ROSANNA MALOUF PETERSON
18 United States District Judge
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